



1 66.0435 (1) (d), rented for a continuous period of more than one month and
2 accommodations furnished by any hospitals, sanatoriums, or nursing homes, or by
3 corporations or associations organized and operated exclusively for religious,
4 charitable or educational purposes provided that no part of the net earnings of such
5 corporations and associations inures to the benefit of any private shareholder or
6 individual. In this subdivision, “one month” means a calendar month or 30 days,
7 whichever is less, counting the first day of the rental and not counting the last day
8 of the rental.

9 ***-0529/4.153* SECTION 1649.** 77.59 (7) of the statutes is amended to read:

10 77.59 (7) If the department believes that the collection of any tax imposed by
11 this subchapter will be jeopardized by delay, it shall notify the person determined to
12 owe the tax of its intention to proceed under s. 71.91 (5) for collection of the amount
13 determined to be owing, including penalties and interest. Such notice shall be by
14 certified or registered mail or by personal service and the warrant of the department
15 shall not issue if the person, within 10 days after such notice furnishes a bond in such
16 amount not exceeding double the amount determined to be owing and with such
17 sureties as the department approves, conditioned upon the payment of so much of
18 the taxes, interest, and penalties as shall finally be determined to be due. Nothing
19 in this subsection shall affect the review of determinations of tax as provided in this
20 subchapter and any amounts collected under this subsection shall be deposited with
21 the ~~state treasurer~~ secretary of administration and disbursed after final
22 determination of the taxes as are amounts deposited under ss. 71.89 (1) and 71.90
23 (2).

24 ***b0220/2.2* SECTION 1650m.** 77.635 of the statutes is created to read:

1 **77.635 Determination of tax receipts related to motor vehicles.**

2 Beginning on July 1, 2005, and on each July 1 thereafter, the department of revenue
3 shall determine the total amount of the taxes imposed under ss. 77.52 and 77.53 that
4 is paid to the department of revenue and to the department of transportation in the
5 immediately preceding calendar year on the sale or use of new motor vehicles.
6 Annually on July 1, 20% of the total amount determined under this section shall be
7 transferred from s. 20.855 (4) (fn) to the transportation fund.

8 ***-1327/1.16*** SECTION 1651. 77.66 of the statutes is created to read:

9 **77.66 Certification for collection of sales and use tax.** The secretary of
10 revenue shall determine and periodically certify to the secretary of administration
11 the names of persons, and affiliates, as defined in s. 16.70 (1b), of persons, who make
12 sales of tangible personal property and taxable services that are subject to the taxes
13 imposed under this subchapter but who are not registered to collect and remit such
14 taxes to the department or, if registered, do not collect and remit such taxes.

15 ***-0338/1.6*** SECTION 1652. 77.91 (4) of the statutes is amended to read:

16 77.91 (4) EXPENSES. Except as provided in sub. (5), the department's expenses
17 for the administration of this subchapter shall be paid from the appropriation under
18 s. 20.370 (1) (~~mu~~) (mv).

19 ***-0338/1.7*** SECTION 1653. 77.91 (5) of the statutes is amended to read:

20 77.91 (5) RECORDING. Each register of deeds who receives notice of an order
21 under this subchapter shall record the action as provided under s. 59.43 (1). The
22 department shall pay the register of deeds the fee specified under s. 59.43 (2) (ag) 1.
23 from the appropriation under s. 20.370 (1) (cr). If the amount in the appropriation
24 under s. 20.370 (1) (cr) in any fiscal year is insufficient to pay the full amount

1 required under this subsection in that fiscal year, the department shall pay the
2 balance from the appropriation under s. 20.370 (1) ~~(mu)~~ (mv).

3 ***b0372/5.5* SECTION 1653d.** 79.01 (2d) of the statutes is amended to read:

4 79.01 (2d) There is established an account in the general fund entitled the
5 “County and Municipal Aid Account.”

6 ***b0372/5.5* SECTION 1653e.** 79.01 (2e) of the statutes is created to read:

7 79.01 (2e) There is established an account in the general fund entitled the
8 “Municipal Aid Account.”

9 ***b0372/5.5* SECTION 1653f.** 79.01 (2f) of the statutes is created to read:

10 79.01 (2f) There is established an account in the general fund entitled the
11 “Municipal Aid Distribution Account.”

12 ***-1564/2.1* SECTION 1654.** 79.015 of the statutes is amended to read:

13 **79.015 Statement of estimated payments.** The department of revenue, on
14 or before September 15 of each year, shall provide to each municipality and county
15 a statement of estimated payments to be made in the next calendar year to the
16 municipality or county under ss. 79.03, 79.035, ~~79.036~~, 79.04, 79.043, 79.044, 79.045,
17 79.05, 79.058, and 79.06.

18 ***-1564/2.2* SECTION 1655.** 79.02 (2) (b) of the statutes is amended to read:

19 79.02 (2) (b) Subject to s. 59.605 (4), payments in July shall equal 15% of the
20 municipality’s or county’s estimated payments under ss. 79.03, 79.035, ~~79.036~~, 79.04,
21 79.043, 79.044, 79.045, 79.058, and 79.06 and 100% of the municipality’s estimated
22 payments under s. 79.05.

23 ***-1567/9.11* SECTION 1656.** 79.02 (3) of the statutes is amended to read:

24 79.02 (3) (a) Subject to s. 59.605 (4), payments to each municipality and county
25 in November shall equal that municipality’s or county’s entitlement ~~to shared~~

1 revenues under ss. 79.03, 79.035, ~~79.036~~, 79.04, 79.043, 79.044, 79.045, 79.05,
2 79.058, and 79.06 for the current year, minus the amount distributed to the
3 municipality or county in July.

4 (b) In November 2002, the amount of the payments to each municipality and
5 county under ss. 79.03, 79.04, 79.05, 79.058, and 79.06 to be paid from the
6 appropriation account under s. 20.855 (4) (rb) shall be the amount of such payments
7 to the municipality or county multiplied by the quotient of an amount equal to the
8 moneys available, as determined by the department of administration, from the
9 appropriation account under s. 20.855 (4) (rb) divided by \$826,068,930.

10 ***-1567/9.12* SECTION 1657.** 79.02 (3) (c) 1. of the statutes is created to read:

11 79.02 (3) (c) 1. In November 2003, the total amount of the payments to each
12 municipality and county under ss. 79.03, 79.04, and 79.06 to be paid from the
13 appropriation account under s. 20.835 (1) (t) shall equal \$230,000,000 and shall be
14 applied to the payments in the manner determined by the department of revenue.

15 ***b0377/4.5* SECTION 1657m.** 79.02 (3) (c) 2. of the statutes is created to read:

16 79.02 (3) (c) 2. In November 2003, the total amount of the payments to each
17 municipality and county under ss. 79.03, 79.04, and 79.06 to be paid from the
18 appropriation account under s. 20.835 (1) (u) shall equal \$17,600,000 and shall be
19 applied to the payments in the manner determined by the department of revenue.

20 ***b0366/2.2* SECTION 1657d.** 79.02 (3) (c) 3. of the statutes is created to read:

21 79.02 (3) (c) 3. In November 2003, the total amount of the payments under ss.
22 79.03, 79.04, and 79.06 to each county and municipality shall be reduced by an
23 amount equal to the amount of supplements paid from the appropriation under s.
24 20.435 (4) (b) that the county or municipality received for the fiscal year in which a
25 payment is made under this section, as determined under s. 49.45 (51).

1 *~~1567/9.13~~* SECTION 1658. 79.02 (3) (d) of the statutes is created to read:

2 79.02 (3) (d) 1. In November 2004, the total amount of the payments to each
3 municipality under ss. 79.043, 79.044, and 79.045 to be paid from the appropriation
4 account under s. 20.835 (1) (t) shall equal \$170,000,000 and shall be applied to the
5 payments in the manner determined by the department of revenue.

6 2. In November 2004, the total amount of the payments to each municipality
7 under ss. 79.043, 79.044, and 79.045 to be paid from the appropriation account under
8 s. 20.835 (1) (u) shall equal \$20,000,000 and shall be applied to the payments in the
9 manner determined by the department of revenue.

10 *~~b0366/2.9~~* SECTION 1658d. 79.02 (3) (e) of the statutes is created to read:

11 79.02 (3) (e) For the distribution in 2004 and subsequent years, the total
12 amount of the November payments to each county and municipality under ss. 79.035,
13 79.043, 79.044, 79.045, and 79.046 shall be reduced by an amount equal to the
14 amount of supplements paid from the appropriation under s. 20.435 (4) (b) that the
15 county or municipality received for the fiscal year in which a payment is made under
16 this section, as determined under s. 49.45 (51).

17 *~~1567/9.14~~* SECTION 1659. 79.03 (3) (a) of the statutes is amended to read:

18 79.03 (3) (a) The amount in the shared revenue account for municipalities and
19 the amount in the shared revenue account for counties, less the payments under sub.
20 (2) and s. 79.04, and, for the distribution in 2003, the amount appropriated under s.
21 20.835 (1) (m), (t), and (u), shall be allocated to each municipality and county
22 respectively in proportion to its entitlement. In this paragraph, “entitlement” means
23 the product of aidable revenues and tax base weight.

24 *~~b0352/2.1~~* SECTION 1659d. 79.03 (3c) (b) 2. of the statutes is amended to read:

1 79.03 (3c) (b) 2. For the year before the year in which the statement under s.
2 79.015 is provided, the municipality levies property taxes for municipal purposes at
3 a rate of at least one mill per dollar of full value under s. 70.57, or, with regard to
4 payments in 2003, if the full valuation of property in the municipality is less than
5 \$10,000,000, the municipality levies property taxes for municipal purposes at a rate
6 of at least 0.85 mill per dollar of full value under s. 70.57.

7 ***b0033/24.28* SECTION 1659m.** 79.03 (3c) (f) of the statutes is amended to
8 read:

9 79.03 (3c) (f) *Distribution amount.* If the total amounts calculated under pars.
10 (c) to (e) exceed the total amount to be distributed under this subsection, the amount
11 paid to each eligible municipality shall be paid on a prorated basis. The total amount
12 to be distributed under this subsection from s. 20.835 (1) (b) is \$10,000,000 beginning
13 in 1996 and ending in 1999; and \$11,000,000 in the year 2000 and in the year 2001.
14 The total amount to be distributed under this subsection from ss. 20.835 (1) (b) and
15 20.855 (4) (rb) in 2002 is \$11,110,000 and the total amount to be distributed under
16 this subsection from s. 20.835 (1) (b) in 2003 is \$11,221,100 less the reductions under
17 s. 79.02 (3) (c) 3.

18 ***-1565/6.1* SECTION 1660.** 79.03 (4) of the statutes is amended to read:

19 79.03 (4) In 1991, the total amount to be distributed under ss. 79.03, 79.04, and
20 79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be
21 distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835 (1) (d) is \$885,961,300.
22 In 1993, the total amount to be distributed under ss. 79.03, 79.04, and 79.06 from s.
23 20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this
24 section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to
25 municipalities and \$168,981,800 to counties. Beginning in 1995 and ending in 2001,

1 the total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from s. 20.835
2 (1) (d) are \$761,478,000 to municipalities and \$168,981,800 to counties. In 2002, the
3 total amounts to be distributed under ss. 79.03, 79.04, and 79.06 from ss. 20.835 (1)
4 (d) and 20.855 (4) (rb) are \$769,092,800 to municipalities and \$170,671,600 to
5 counties. In 2003, the total amounts to be distributed under ss. 79.03, 79.04, and
6 79.06 from s. 20.835 (1) (d), (m), (t), and (u) are \$776,783,700 to municipalities, less
7 the reductions under s. 79.025 (3) (c) 3., and \$172,378,300 to counties, less the
8 reductions under s. 79.025 (3) (c) 3.

9 *b0372/5.13* SECTION 1662b. 79.035 (title) of the statutes is amended to read:

10 **79.035 (title) County and municipal aid.**

11 *b0372/5.13* SECTION 1662d. 79.035 (1) of the statutes is amended to read:

12 79.035 (1) ~~Subject to reductions under s. 79.036 (3), in~~ In 2004 and subsequent
13 years, each county and municipality shall receive a payment from the county and
14 municipal aid account in an amount determined under sub. (2).

15 *b0372/5.13* SECTION 1663b. 79.035 (2) (a) 1. of the statutes is amended to
16 read:

17 79.035 (2) (a) 1. ~~For~~ Except as provided under 79.02 (3) (e), for the distribution
18 in 2004, each county and municipality will receive a payment that is equal to the
19 amount of the payments the county ~~or municipality~~ would have received in 2003
20 under ss. 79.03, 79.058, and 79.06, if not for the reductions under s. 79.02 (3) (c) 3.,
21 less the amount of the reduction under subd. 2.

22 *b0372/5.13* SECTION 1664b. 79.035 (2) (a) 2. of the statutes is amended to
23 read:

24 79.035 (2) (a) 2. The department of revenue shall reduce the amount of the
25 payments to be distributed to each county and municipality, as determined under

1 subd. 1., by subtracting from such payments an amount based on the county's or
2 municipality's population, as determined by the department, so that the total
3 amount of the reduction to all such payments in 2004 is ~~\$40,000,000~~ \$20,000,000,
4 except that the reduction applied to any county's or municipality's payment shall not
5 exceed the amount of the payments specified under subd. 1. distributed to the county
6 or municipality in 2003.

7 ***b0372/5.13* SECTION 1666b.** 79.035 (2) (b) of the statutes is amended to read:

8 79.035 (2) (b) ~~For~~ Except as provided under s. 79.02 (3) (e), for the distribution
9 in 2005 and subsequent years, each county ~~and municipality~~ shall receive a payment
10 under this section that is equal to the amount of the payment determined for the
11 county or municipality under par. (a) in 2004 ~~prior to the reductions under s. 79.036.~~

12 ***-1564/2.4* SECTION 1667.** 79.036 of the statutes is repealed.

13 ***-1567/9.16* SECTION 1668.** 79.04 (1) (a) of the statutes is amended to read:

14 79.04 (1) (a) An amount from the shared revenue account or, for the
15 distribution in 2003, from the appropriation under s. 20.835 (1) (t) determined by
16 multiplying by 3 mills in the case of a town, and 6 mills in the case of a city or village,
17 the first \$125,000,000 of the amount shown in the account, plus leased property, of
18 each public utility except qualified wholesale electric companies, as defined in s.
19 76.28 (1) (gm), on December 31 of the preceding year for either "production plant,
20 exclusive of land" and "general structures", or "work in progress" for production
21 plants and general structures under construction, in the case of light, heat and power
22 companies, electric cooperatives or municipal electric companies, for all property
23 within a municipality in accordance with the system of accounts established by the
24 public service commission or rural electrification administration, less depreciation
25 thereon as determined by the department of revenue and less the value of treatment

1 plant and pollution abatement equipment, as defined under s. 70.11 (21) (a), as
2 determined by the department of revenue plus an amount from the shared revenue
3 account or, for the distribution in 2003, from the appropriation under s. 20.835 (1)
4 (t) determined by multiplying by 3 mills in the case of a town, and 6 mills in the case
5 of a city or village, of the first \$125,000,000 of the total original cost of production
6 plant, general structures and work-in-progress less depreciation, land and
7 approved waste treatment facilities of each qualified wholesale electric company, as
8 defined in s. 76.28 (1) (gm), as reported to the department of revenue of all property
9 within the municipality. The total of amounts, as depreciated, from the accounts of
10 all public utilities for the same production plant is also limited to not more than
11 \$125,000,000. The amount distributable to a municipality in any year shall not
12 exceed \$300 times the population of the municipality.

13 ***-1567/9.17* SECTION 1669.** 79.04 (2) (a) of the statutes is amended to read:

14 79.04 (2) (a) Annually, the department of administration, upon certification by
15 the department of revenue, shall distribute from the shared revenue account or, for
16 the distribution in 2003, from the appropriation under s. 20.835 (1) (t) to any county
17 having within its boundaries a production plant or a general structure, including
18 production plants and general structures under construction, used by a light, heat
19 or power company assessed under s. 76.28 (2) or 76.29 (2), except property described
20 in s. 66.0813 unless the production plant is owned or operated by a local
21 governmental unit that is located outside of the municipality in which the production
22 plant is located, or by an electric cooperative assessed under ss. 76.07 and 76.48,
23 respectively, or by a municipal electric company under s. 66.0825 an amount
24 determined by multiplying by 6 mills in the case of property in a town and by 3 mills
25 in the case of property in a city or village the first \$125,000,000 of the amount shown

1 in the account, plus leased property, of each public utility except qualified wholesale
2 electric companies, as defined in s. 76.28 (1) (gm), on December 31 of the preceding
3 year for either “production plant, exclusive of land” and “general structures”, or
4 “work in progress” for production plants and general structures under construction,
5 in the case of light, heat and power companies, electric cooperatives or municipal
6 electric companies, for all property within the municipality in accordance with the
7 system of accounts established by the public service commission or rural
8 electrification administration, less depreciation thereon as determined by the
9 department of revenue and less the value of treatment plant and pollution
10 abatement equipment, as defined under s. 70.11 (21) (a), as determined by the
11 department of revenue plus an amount from the shared revenue account or, for the
12 distribution in 2003, from the appropriation under s. 20.835 (1) (t) determined by
13 multiplying by 6 mills in the case of property in a town, and 3 mills in the case of
14 property in a city or village, of the total original cost of production plant, general
15 structures and work-in-progress less depreciation, land and approved waste
16 treatment facilities of each qualified wholesale electric company, as defined in s.
17 76.28 (1) (gm), as reported to the department of revenue of all property within the
18 municipality. The total of amounts, as depreciated, from the accounts of all public
19 utilities for the same production plant is also limited to not more than \$125,000,000.
20 The amount distributable to a county in any year shall not exceed \$100 times the
21 population of the county.

22 *b0372/5.14* SECTION 1669d. 79.043 of the statutes is created to read:

23 **79.043 Municipal aid for basic public services. (1) DEFINITIONS.** In this
24 section:

1 (a) “Actual per capita conservation, development, and library cost” means a
2 municipality’s actual expenditures, net of any related revenues, incurred in 2001 for
3 operations and capital outlays related to conservation, development, and library
4 services, as determined by the department of revenue, based on the financial reports
5 required under s. 73.10 (2) and recorded in the governmental and proprietary fund
6 types, divided by the municipality’s 2002 population, except that “actual per capita
7 conservation, development, and library cost” may not be less than zero.

8 (b) “Actual per capita public safety cost” means a municipality’s actual
9 expenditures, net of any related revenues, incurred in 2001 for operations and
10 capital outlays related to public safety services, as determined by the department of
11 revenue, based on the financial reports required under s. 73.10 (2) and recorded in
12 the governmental and proprietary fund types, divided by the municipality’s 2002
13 population, except that “actual per capita public safety cost” may not be less than
14 zero.

15 (c) “Adjusted per capita conservation, development, and library cost” means the
16 sum of a municipality’s primary per capita conservation, development, and library
17 cost and the municipality’s secondary per capita conservation, development, and
18 library cost.

19 (d) “Adjusted per capita public safety cost” means the sum of a municipality’s
20 primary per capita public safety cost and the municipality’s secondary per capita
21 public safety cost.

22 (e) “Aidable costs” means an amount calculated as follows:

23 1. Add a municipality’s adjusted per capita public safety cost to the
24 municipality’s adjusted per capita conservation, development, and library cost.

25 2. Multiply the result under subd. 1. by the municipality’s 2002 population.

1 3. Multiply the result under subd. 2. by the municipality's poverty factor.

2 (f) "Average per capita conservation, development, and library cost" means the
3 total 2001 conservation, development, and library expenditures, net of any related
4 revenues, for all municipalities that are eligible to receive a payment under this
5 section, divided by the total 2002 population for all municipalities that are eligible
6 to receive a payment under this section and that reported 2001 conservation,
7 development, and library expenditures.

8 (g) "Average per capita public safety cost" means the total 2001 public safety
9 expenditures, net of any related revenues, for all municipalities that are eligible to
10 receive a payment under this section, divided by the total 2002 population for all
11 municipalities that are eligible to receive a payment under this section and that
12 reported 2001 public safety expenditures.

13 (h) "Per capita full value" means the quotient of the 2002 equalized value of the
14 property of a municipality, excluding the incremental value in tax increment
15 districts, divided by the municipality's population in 2002.

16 (i) Notwithstanding s. 79.005 (2), "population" means the number of persons
17 residing in a municipality, as determined by the department of administration under
18 s. 16.96.

19 (j) "Poverty factor" means:

20 1. For municipalities that had a 2002 population of 50,000 or more, an amount
21 determined by dividing the percentage of the municipality's population with an
22 income at or below the poverty level, as determined in the 2000 federal decennial
23 census, by a percentage equal to the product of 1.3 multiplied by the percentage of
24 the state's population with an income at or below the poverty level, as determined

1 in the 2000 federal decennial census, except that a poverty factor determined under
2 this subdivision shall be no less than 1.0 and no more than 1.35.

3 2. For municipalities that had a 2002 population less than 50,000, 1.0.

4 (k) “Primary per capita conservation, development, and library cost” means a
5 municipality’s actual per capita conservation, development, and library cost, not to
6 exceed an amount equal to one-half of the average per capita conservation,
7 development, and library cost, multiplied by 1.5.

8 (L) “Primary per capita public safety cost” means a municipality’s actual per
9 capita public safety cost, not to exceed an amount equal to one-half of the average
10 per capita public safety cost, multiplied by 1.5.

11 (m) “Secondary per capita conservation, development, and library cost” means
12 a municipality’s actual per capita conservation, development, and library cost in
13 excess of an amount equal to one-half of the average per capita conservation,
14 development, and library cost, but not to exceed an amount equal to the average per
15 capita conservation, development, and library cost, multiplied by 0.5.

16 (n) “Secondary per capita public safety cost” means a municipality’s actual per
17 capita public safety cost in excess of an amount equal to one-half of the average per
18 capita public safety cost, but not to exceed an amount equal to the average per capita
19 public safety cost, multiplied by 0.5.

20 (o) “Sharing factor” means 1.0, minus the quotient of a municipality’s per capita
21 full value divided by the standard value, except that if the quotient of a
22 municipality’s per capita full value divided by the standard value is greater than 1.0,
23 the sharing factor is zero.

24 (p) “Standard value” means the per capita value that results in the distribution
25 of the entire funding level.

1 **(2) ELIGIBILITY.** Except as provided in sub. (3), in 2004 and in 2005, a
2 municipality is eligible for a payment under this section if the municipality is
3 incorporated and had a population in 2002 of at least 2,500 or the municipality is
4 unincorporated and had a population in 2002 of at least 5,000.

5 **(3) EXCEPTIONS.** A municipality shall not receive a payment under this section
6 if the sum of the municipality’s actual per capita public safety cost for 2001 and the
7 municipality’s actual per capita conservation, development, and library cost for 2001
8 is less than \$50.

9 **(4) PAYMENTS.** Except as provided under s. 79.02 (3) (e), each municipality that
10 is eligible to receive a payment under this section shall receive a payment in 2004
11 and in 2005 that is equal to the greater of the municipality’s population in 2002
12 multiplied by \$23 or the municipality’s aidable costs multiplied by the municipality’s
13 sharing factor.

14 **(5) MINIMUM PAYMENT.** (a) If the payment to any municipality under sub. (4),
15 excluding any reduction under s. 79.02 (3) (e), in any year is less than 88.5% of the
16 combined payments to the municipality under ss. 79.03 and 79.06 in 2003, excluding
17 any reductions under s. 79.02 (3) (c) 3. and excluding payments under s. 79.04, the
18 municipality has an aids deficiency. The amount of the aids deficiency is the amount
19 by which 88.5% of the combined payments to the municipality under ss. 79.03 and
20 79.06 in 2003, excluding any reductions under s. 79.02 (3) (c) 3. and excluding
21 payments under s. 79.04, exceeds the payment under sub. (4), excluding any
22 reduction under s. 79.02 (3) (e), to the municipality in the current year.

23 (b) A municipality that has an aids deficiency shall receive a payment from the
24 amounts withheld under sub. (6) equal to its aids deficiency for that year.

1 **(6) MAXIMUM PAYMENT.** (a) In this subsection, “maximum allowable increase”
2 in any year means a percentage such that the sum for all municipalities in the year
3 of the excess of payments under sub. (4), excluding any reduction under s. 79.02 (3)
4 (e), over the payments as limited by the maximum allowable increase, is equal to the
5 sum of the aids deficiency under sub. (5) in that year.

6 (b) If the payment to any municipality under sub. (4), excluding any reduction
7 under s. 79.02 (3) (e), in any year exceeds the combined payments to the municipality
8 under ss. 79.03 and 79.06 in 2003, excluding any reductions under s. 79.02 (3) (c) 3.
9 and excluding payments under s. 79.04, by more than the maximum allowable
10 increase, the excess shall be withheld to fund the minimum payments in that year
11 under sub. (5) (b).

12 **(7) DISTRIBUTIONS.** (a) In 2004, the total amount to be distributed to
13 municipalities under sub. (4) from the municipal aid account and s. 20.835 (1) (t) and
14 (u) is \$567,957,200.

15 (b) In 2005, the total amount to be distributed to municipalities under sub. (4)
16 from the municipal aid account is \$567,957,200.

17 (c) Beginning in 2006, no municipality may receive a payment under this
18 section.

19 ***b0372/5.14* SECTION 1669e.** 79.044 of the statutes is created to read:

20 **79.044 Expenditure restraint supplemental aid.** (1) **DEFINITIONS.** In this
21 section:

22 (a) “Full value” has the meaning given in s. 79.05 (1) (a).

23 (b) “Inflation factor” has the meaning given in s. 79.05 (1) (am).

24 (c) “Municipal budget” has the meaning given in s. 79.05 (1) (b).

25 (d) “Property tax levy rate” has the meaning given in s. 79.05 (1) (c).

1 (e) “Valuation factor” has the meaning given in s. 79.05 (1) (d).

2 (2) ELIGIBILITY. A municipality is eligible for a payment under sub. (3) if it
3 fulfills all of the following requirements:

4 (a) It is eligible for a payment under s. 79.043.

5 (b) Its property tax levy rate for 2002 is greater than 8 mills.

6 (c) Its municipal budget, exclusive of principal and interest on long-term debt
7 and exclusive of revenue sharing payments under s. 66.0305 and recycling fee
8 payments under s. 289.645, for 2002 increased over its municipal budget, exclusive
9 of principal and interest on long-term debt and exclusive of revenue sharing
10 payments under s. 66.0305 and recycling fee payments under s. 289.645, for 2001 by
11 less than the sum of the inflation factor and the valuation factor, both as used to
12 determine eligibility for a payment under s. 79.05 in 2003, rounded to the nearest
13 0.10%.

14 (3) PAYMENTS. Except as provided under s. 79.02 (3) (e), in 2004 and in 2005,
15 each municipality that qualifies under sub. (2) shall receive a payment calculated as
16 follows:

17 (a) Subtract 8 mills from the municipality’s property tax levy rate for 2002.

18 (b) Multiply the amount under par. (a) by the municipality’s 2001 full value.

19 (c) Divide the amount under par. (b) by the total of the amounts under par. (b)
20 for all municipalities that qualify.

21 (d) Multiply the amount under par. (c) by \$10,000,000.

22 (4) MINIMUM PAYMENT. (a) If the combined payments to any municipality under
23 sub. (3) and s. 79.043, excluding any reduction under s. 79.02 (3) (e), in any year is
24 less than 90% of the combined payments to the municipality under ss. 79.03 and
25 79.06 in 2003, excluding any reductions under s. 79.02 (3) (c) 3. and excluding

1 payments under s. 79.04, the municipality has an aids deficiency. The amount of the
2 aids deficiency is the amount by which 90% of the combined payments to the
3 municipality under ss. 79.03 and 79.06 in 2003, excluding any reductions under s.
4 79.02 (3) (c) 3. and excluding payments under s. 79.04, exceeds the combined
5 payments under sub. (3) and s. 79.043, excluding any reduction under s. 79.02 (3) (e),
6 to the municipality in the current year.

7 (b) A municipality that has an aids deficiency shall receive a payment from the
8 amounts withheld under sub. (5) equal to its aids deficiency for that year.

9 (5) MAXIMUM PAYMENT. (a) In this subsection, “maximum allowable increase”
10 in any year means a percentage such that the sum for all municipalities in the year
11 of the excess of the combined payments under sub. (3) and s. 79.043, excluding any
12 reduction under s. 79.02 (3) (e), over the payments as limited by the maximum
13 allowable increase, is equal to the sum of the aids deficiencies under sub. (4) in that
14 year.

15 (b) If the combined payments to any municipality under sub. (3) and s. 79.043,
16 excluding any reduction under s. 79.02 (3) (e), in any year exceed the combined
17 payments to the municipality under ss. 79.03 and 79.06 in 2003, excluding any
18 reductions under s. 79.02 (3) (c) 3. and excluding payments under s. 79.04, by more
19 than the maximum allowable increase, the excess shall be withheld to fund the
20 minimum payments in that year under sub. (4) (b).

21 (6) DISTRIBUTIONS. (a) Beginning in 2004 and ending with the distribution in
22 2005, the total amount to be distributed each year to municipalities under sub. (4)
23 from the municipal aid account is \$10,000,000.

24 (b) Beginning in 2006, no municipality may receive a payment under this
25 section.

1 ***b0372/5.14* SECTION 1669f.** 79.045 of the statutes is created to read:

2 **79.045 Small municipalities state aid. (1) DEFINITIONS.** In this section:

3 (a) “Actual per capita conservation, development, and library cost” has the
4 meaning given in s. 79.043 (1) (a).

5 (b) “Actual per capita public safety cost” has the meaning given in s. 79.043 (1)
6 (b).

7 (c) Notwithstanding s. 79.005 (2), “population” means the number of persons
8 residing in a municipality, as determined by the department of administration under
9 s. 16.96.

10 **(2) ELIGIBILITY.** In 2004 and in 2005, a municipality is eligible for a payment
11 under this section if the municipality is incorporated and had a population in 2002
12 of less than 2,500; the municipality is unincorporated and had a population in 2002
13 of less than 5,000; or the sum of the municipality’s actual per capita public safety cost
14 for 2001 and the municipality’s actual per capita conservation, development, and
15 library cost for 2001 is less than \$50.

16 **(3) PAYMENTS.** Except as provided under s. 79.02 (3) (e), each municipality that
17 is eligible to receive a payment under this section shall receive a payment in 2004
18 and in 2005 that is equal to the combined payments to the municipality under ss.
19 79.03 and 79.06 in 2003, excluding any reductions under s. 79.02 (3) (c) 3. and
20 excluding payments under s. 79.04, multiplied by a percentage that results in the
21 distribution of the entire funding level.

22 **(4) DISTRIBUTIONS.** (a) Beginning in 2004 and ending with the distribution in
23 2005, the total amount to be distributed each year to municipalities under sub. (3)
24 from the municipal aid account is \$125,145,000.

1 (b) Beginning in 2006, no municipality may receive a payment under this
2 section.

3 ***b0372/5.14* SECTION 1669g.** 79.046 of the statutes is created to read:

4 **79.046 Municipal aid distribution.** Except as provided under s. 79.02 (3)
5 (e), beginning in 2006, the amount to be distributed to municipalities is
6 \$703,102,200.

7 ***-1565/6.6* SECTION 1670.** 79.058 (3) (e) of the statutes is amended to read:

8 79.058 (3) (e) In 2003, \$21,181,100, less the reductions under s. 79.02 (3) (c) 3.

9 ***b0189/3.3* SECTION 1670b.** 79.10 (7r) of the statutes is repealed.

10 ***b0189/3.3* SECTION 1670d.** 79.10 (10) (a) of the statutes is amended to read:

11 79.10 (10) (a) Beginning with property taxes levied in 1999, the owner of a
12 principal dwelling may claim the credit under sub. (9) (bm) by applying for the credit
13 on a form prescribed by the department of revenue. A claimant shall attest that, as
14 of the certification date, the claimant is an owner of property and that such property
15 is used by the owner in the manner specified under sub. (1) (dm). The certification
16 date is January 1 of the year in which the property taxes are levied. The claimant
17 shall file the application for the lottery and gaming credit with the treasurer of the
18 county in which the property is located or, if the property is located in a city that
19 collects taxes under s. 74.87, with the treasurer of the city in which the property is
20 located. Subject to review by the department of revenue, a treasurer who receives
21 a completed application shall direct that the property described in the application be
22 identified on the next tax roll as property for which the owner is entitled to receive
23 a lottery and gaming credit. A claim that is made under this paragraph is valid for
24 5 years as long as the property is eligible for the credit under sub. (9) (bm).

1 ***b0189/3.3* SECTION 1670dm.** 79.10 (10) (b) of the statutes is amended to
2 read:

3 79.10 (10) (b) A person who becomes eligible for a credit under sub. (9) (bm) may
4 claim the credit by filing an application, on a form prescribed by the department of
5 revenue, with the treasurer of the county in which the property is located or, if the
6 property is located in a city that collects taxes under s. 74.87, with the treasurer of
7 the city in which the property is located. Claims made under this paragraph ~~become~~
8 ~~invalid when claims made under par. (a) become invalid~~ are valid for as long as the
9 property is eligible for the credit under sub. (9) (bm).

10 ***b0189/3.3* SECTION 1670dp.** 79.10 (10) (bm) of the statutes is amended to
11 read:

12 79.10 (10) (bm) 1. A person who is eligible for a credit under sub. (9) (bm) but
13 whose property tax bill does not reflect the credit may claim the credit by applying
14 to the treasurer of the taxation district in which the property is located for the credit
15 under par. (a) by January 31 following the issuance of the person's property tax bill.
16 The treasurer shall compute the amount of the credit; subtract the amount of the
17 credit from the person's property tax bill; notify the person of the reduced amount of
18 the property taxes due; issue a refund to the person if the person has paid the
19 property taxes in full; and enter the person's property on the next tax roll as property
20 that qualifies for a lottery and gaming credit. Claims made under this subdivision
21 ~~become invalid when claims made under par. (a) become invalid~~ are valid for as long
22 as the property is eligible for the credit under sub. (9) (bm).

23 2. A person who may apply for a credit under subd. 1. but who does not timely
24 apply for the credit under subd. 1. may apply to the department of revenue no later
25 than October 1 following the issuance of the person's property tax bill. Subject to

1 review by the department, the department shall compute the amount of the credit;
2 issue a check to the person in the amount of the credit; and notify the treasurer of
3 the county in which the person's property is located or the treasurer of the taxation
4 district in which the person's property is located, if the taxation district collects taxes
5 under s. 74.87. The treasurer shall enter the person's property on the next tax roll
6 as property that qualifies for a lottery and gaming credit. Claims made under this
7 subdivision ~~become invalid when claims made under par. (a) become invalid~~ are valid
8 for as long as the property is eligible for the credit under sub. (9) (bm).

9 ***b0189/3.3* SECTION 1670dr.** 79.10 (10) (bn) of the statutes is amended to
10 read:

11 79.10 (10) (bn) 1. If a person who owns and uses property as specified under
12 sub. (1) (dm), as of the certification date under par. (a), transfers the property after
13 the certification date, the transferee may apply to the treasurer of the county in
14 which the property is located or, if the property is located in a city that collects taxes
15 under s. 74.87, to the treasurer of the city in which the property is located for the
16 credit under sub. (9) (bm) on a form prescribed by the department of revenue. The
17 transferee shall attest that, to the transferee's knowledge, the transferor used the
18 property in the manner specified under sub. (1) (dm) as of the certification date under
19 par. (a). A claim that is made under this subdivision is valid ~~for the year in which~~
20 ~~the property is transferred~~ as long as the property is eligible for the credit under sub.
21 (9) (bm).

22 2. A person who is eligible for a credit under subd. 1. but whose property tax
23 bill does not reflect the credit may claim the credit by applying to the treasurer of the
24 taxation district in which the property is located for the credit by January 31
25 following the issuance of the person's property tax bill. Claims made after January

1 31, but no later than October 1 following the issuance of the person's property tax bill,
2 shall be made to the department of revenue. Paragraph (bm), as it applies to
3 processing claims made under that paragraph, applies to processing claims made
4 under this subdivision, ~~except that a claim that is made under this subdivision is~~
5 ~~valid for the year in which the person took possession of the transferred property~~
6 ~~under subd. 1.~~

7 *b0189/3.3* SECTION 1670dt. 79.10 (10) (f) of the statutes is created to read:

8 79.10 (10) (f) 1. Each county and city that administers the credit under sub. (9)
9 (bm) shall implement a procedure to periodically verify the eligibility of properties
10 for which a credit is claimed. In 2004, and every 5th year thereafter, each county and
11 city that administers the credit under sub. (9) (bm) shall file a report with the
12 department of revenue, in the manner and at the time prescribed by the department
13 of revenue, that describes the procedures that the county or city uses to verify the
14 credits claimed under this subsection and evaluates the efficacy of such procedures.

15 2. On or before January 31, 2005, and every 5th year thereafter, the department
16 of revenue shall submit a report to the joint committee on finance that summarizes
17 the procedures described in the reports filed under subd. 1. A report submitted under
18 this subdivision shall include a recommendation as to whether the process for
19 certifying credits claimed under this subsection should continue unchanged or be
20 modified to increase compliance with the constitution.

21 *b0189/3.3* SECTION 1670f. 79.10 (11) (b) of the statutes is amended to read:

22 79.10 (11) (b) Before October 16, the department of administration shall
23 determine the total funds available for distribution under the lottery and gaming
24 credit in the following year and shall inform the joint committee on finance of that
25 total. Total funds available for distribution shall be all moneys projected to be

1 transferred to the lottery fund under ss. 20.455 (2) (g) and 20.505 (8) (am), (g) and
2 (jm) and all existing and projected lottery proceeds and interest for the fiscal year of
3 the distribution, less the amount estimated to be expended under ss. 20.455 (2) (r),
4 20.566 (2) (r), and 20.835 (2) (q) ~~and (3) (r)~~ and less the required reserve under s.
5 20.003 (5). The joint committee on finance may revise the total amount to be
6 distributed if it does so at a meeting that takes place before November 1. If the joint
7 committee on finance does not schedule a meeting to take place before November 1,
8 the total determined by the department of administration shall be the total amount
9 estimated to be distributed under the lottery and gaming credit in the following year.

10 ***b0241/3.4* SECTION 1670m.** 84.013 (2) (a) of the statutes is amended to read:

11 84.013 (2) (a) Subject to ss. 84.555 and 86.255, major highway projects shall
12 be funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (4) (jq) and
13 20.866 (2) (ur) to ~~(uum)~~ (uur).

14 ***-1837/2.3* SECTION 1671.** 84.013 (2) (b) of the statutes is amended to read:

15 84.013 (2) (b) Except as provided in ss. 84.014, 84.03 (3), and 84.555, and
16 subject to s. 86.255, reconditioning, reconstruction and resurfacing of highways shall
17 be funded from the appropriations under ~~s. ss.~~ ss. 20.395 (3) (cq) to (cx) and 20.866 (2)
18 (uut).

19 ***b0226/2.1* SECTION 1671d.** 84.013 (3) (zd) of the statutes is created to read:

20 84.013 (3) (zd) USH 14 from approximately 2 miles west of Westby to 1.5 miles
21 south of Viroqua in Vernon County.

22 ***b0226/2.1* SECTION 1671h.** 84.013 (3) (zh) of the statutes is created to read:

23 84.013 (3) (zh) USH 18 from Main Street in the city of Prairie du Chien to STH
24 60 in the town of Bridgeport in Crawford County.

25 ***b0226/2.1* SECTION 1671p.** 84.013 (3) (zp) of the statutes is created to read:

1 84.013 (3) (zp) USH 41 from 0.5 miles south of STH 26 to 0.5 miles north of
2 Breezewood Lane in the city of Neenah in Winnebago County.

3 ***b0226/2.1* SECTION 1671t.** 84.013 (3) (zt) of the statutes is created to read:

4 84.013 (3) (zt) USH 41 from Orange Lane in the town of Lawrence, one mile
5 south of CTH “F” to CTH “M” in Brown County.

6 ***b0252/3.1* SECTION 1672c.** 84.014 (3m) of the statutes is created to read:

7 84.014 (3m) (a) Beginning in fiscal year 2003–04, and in each fiscal year
8 thereafter until the end of fiscal year 2010–11, from the amounts appropriated under
9 s. 20.395 (3) (cr) or (cy) or both, the department shall allocate a total of at least
10 \$49,350,000 in each fiscal year, or the total unencumbered balance of both
11 appropriations at the beginning of the fiscal year for each fiscal year, whichever is
12 less, for southeast Wisconsin freeway rehabilitation projects other than the
13 Marquette interchange reconstruction project. The department shall allocate the
14 full amount under this paragraph in each fiscal year, and any amount allocated
15 under this paragraph that remains unencumbered at the end of the fiscal year shall
16 be added to the allocation under this paragraph for the subsequent fiscal year, and
17 shall not otherwise affect the subsequent fiscal year’s allocation under this
18 paragraph.

19 (b) Notwithstanding par. (a), the department may, in any fiscal year, reallocate
20 funds for purposes of the Marquette interchange reconstruction project that were,
21 for the same fiscal year, previously allocated under par. (a) for southeast Wisconsin
22 freeway rehabilitation projects other than the Marquette interchange
23 reconstruction project if all of the following apply:

1 1. The department did not reduce under this paragraph, in the preceding fiscal
2 year, the allocation under par. (a) for southeast Wisconsin freeway rehabilitation
3 projects other than the Marquette interchange reconstruction project.

4 2. The department has submitted to the joint committee on finance a request
5 to reallocate funds under this paragraph and the request is approved, or modified
6 and approved, under par. (d).

7 (c) If funds are reallocated in any fiscal year under par. (b), in the subsequent
8 fiscal year, the department shall, from funds that otherwise would have been
9 allocated to the Marquette interchange reconstruction project, increase the
10 allocation under par. (a) for the subsequent fiscal year for southeast Wisconsin
11 freeway rehabilitation projects other than the Marquette interchange
12 reconstruction project by an amount equal to the amount reallocated to the
13 Marquette interchange reconstruction project under par. (b) in the preceding fiscal
14 year.

15 (d) If the department submits a request under par. (b) 2., and the
16 cochairpersons of the joint committee on finance do not notify the department within
17 14 working days after the date of the submittal that the committee has scheduled a
18 meeting for the purpose of reviewing the request, the request is considered approved
19 for purposes of par. (b) 2. and the department may take the action specified in the
20 request. If, within 14 working days after the date of the submittal, the
21 cochairpersons of the committee notify the department that the committee has
22 scheduled a meeting for the purpose of reviewing the request, the department may
23 not take the action specified in the request until it is approved by the committee, as
24 submitted or as modified.

1 ***b0251/4.2* SECTION 1672g.** 84.014 (4) of the statutes is renumbered 84.014
2 (4) (a).

3 ***b0251/4.2* SECTION 1672h.** 84.014 (4) (b) of the statutes is created to read:
4 84.014 (4) (b) If the Marquette interchange reconstruction project is funded
5 under s. 84.555 (1m) with the proceeds of general obligation bonds issued under s.
6 20.866 (2) (uum), in each fiscal year in which bond obligations are outstanding, the
7 department shall, to the maximum extent possible, transfer funds allocated for the
8 Marquette interchange reconstruction project under s. 20.395 (3) (cr) to the
9 appropriation account under s. 20.395 (6) (at) for the payment, in that fiscal year, of
10 principal and interest costs incurred in financing the project with bonds issued under
11 s. 20.866 (2) (uum).

12 ***b0251/4.2* SECTION 1672i.** 84.014 (4) (c) of the statutes is created to read:
13 84.014 (4) (c) Beginning in fiscal year 2003–04, and in each fiscal year
14 thereafter until the end of fiscal year 2010–11, the department may submit to the
15 joint committee on finance a request to transfer funds, other than federal funds
16 specifically allotted by act of Congress for the Marquette interchange reconstruction
17 project, that are allocated under s. 20.395 (3) (cy) to the Marquette interchange
18 reconstruction project or that are appropriated under s. 20.395 (3) (cy) and
19 unallocated, from the appropriation account under s. 20.395 (3) (cy) to the
20 appropriation account under s. 20.395 (3) (bx) or (cx), and to transfer an equal
21 amount of segregated revenue funds from the appropriation account under s. 20.395
22 (3) (bq) or (cq) to the appropriation account under s. 20.395 (6) (at), for the payment
23 of principal and interest costs incurred in financing the Marquette interchange
24 reconstruction project by the issuance of bonds under s. 20.866 (2) (uum). If the
25 department submits a request under this paragraph and the cochairpersons of the

1 joint committee on finance do not notify the department within 14 working days after
2 the date of the submittal that the committee has scheduled a meeting for the purpose
3 of reviewing the request, the department may take the action specified in the
4 request. If, within 14 working days after the date of the submittal, the
5 cochairpersons of the committee notify the department that the committee has
6 scheduled a meeting for the purpose of reviewing the request, the department may
7 not take the action specified in the request until it is approved by the committee, as
8 submitted or as modified.

9 *–1250/1.2* SECTION 1674. 84.03 (3) (title), (a) and (b) of the statutes are
10 amended to read:

11 84.03 (3) (title) WEST CANAL STREET RECONSTRUCTION AND EXTENSION PROJECT.

12 (a) Subject to par. (b), the department shall, from the appropriations under s. 20.395
13 (3) (cr) and (cy), award a grant of \$5,000,000 from the amounts allocated for the
14 Marquette interchange reconstruction project under 2001 Wisconsin Act 16, section
15 9152 (5w), shall award a grant of \$2,500,000 under s. 86.31 (3s), and shall award
16 grants totaling \$2,500,000 from the appropriation under s. 20.395 (3) (ck), to the city
17 of Milwaukee for reconstruction of West Canal Street and extension of West Canal
18 Street to USH 41 at Miller Park in the city of Milwaukee to serve as a transportation
19 corridor for the purpose of mitigating traffic associated with the reconstruction of the
20 Marquette interchange.

21 (b) No grant may be awarded under par. (a) or s. 86.31 (3s) unless the city of
22 Milwaukee contributes \$10,000,000 toward the West Canal Street reconstruction
23 and extension project.

24 *–1712/5.27* SECTION 1675. 84.04 (3) of the statutes is repealed.

25 *–1712/5.28* SECTION 1681. 84.07 (5) of the statutes is repealed.

1 *~~1634/7.48~~* SECTION 1684. 84.09 (5) of the statutes is amended to read:

2 84.09 (5) Subject to the approval of the governor, the department may sell at
3 public or private sale property of whatever nature owned by the state and under the
4 jurisdiction of the department when the department determines that the property
5 is no longer necessary for the state's use for highway purposes and, if real property,
6 the real property is not the subject of a petition under s. ~~16.375~~ 560.9810 (2). The
7 department shall present to the governor a full and complete report of the property
8 to be sold, the reason for the sale, and the minimum price for which the same should
9 be sold, together with an application for the governor's approval of the sale. The
10 governor shall thereupon make such investigation as he or she may deem necessary
11 and approve or disapprove the application. Upon such approval and receipt of the
12 full purchase price, the department shall by appropriate deed or other instrument
13 transfer the property to the purchaser. The approval of the governor is not required
14 for public or private sale of property having a fair market value at the time of sale
15 of not more than \$3,000, for the transfer of surplus state real property to the
16 department of administration under s. ~~16.375~~ 560.9810 or for the transfer of surplus
17 state personal property to the department of tourism under sub. (5s). The funds
18 derived from sales under this subsection shall be deposited in the transportation
19 fund, and the expense incurred by the department in connection with the sale shall
20 be paid from such fund.

21 *~~1634/7.49~~* SECTION 1685. 84.09 (5r) of the statutes is amended to read:

22 84.09 (5r) In lieu of the sale or conveyance of property under sub. (5) or (5m),
23 the department may, subject to the approval of the governor, donate real property
24 that is adjacent to the veterans memorial site located at The Highground in Clark
25 County and owned by the state and under the jurisdiction of the department to the

1 Wisconsin Vietnam Veterans Memorial Project, Inc., for the purpose of the veterans
2 memorial site located at The Highground in Clark County for the purpose of a
3 memorial hall specified in s. 70.11 (9). The department may donate property under
4 this subsection only when the department determines that the property is no longer
5 necessary for the state's use for highway purposes and is not the subject of a petition
6 under s. ~~16.375~~ 560.9810 (2) and is transferred with a restriction that the donee may
7 not subsequently transfer the real property to any person except to this state, which
8 shall not be charged for any improvements thereon. Such restriction shall be
9 recorded in the office of the register of deeds in the county in which the property is
10 located. The department shall present to the governor a full and complete report of
11 the property to be donated, the reason for the donation, and the minimum price for
12 which the property could likely be sold under sub. (5), together with an application
13 for the governor's approval of the donation. The governor shall thereupon make such
14 investigation as he or she considers necessary and approve or disapprove the
15 application. Upon such approval, the department shall by appropriate deed or other
16 instrument transfer the property to the donee. The approval of the governor is not
17 required for donation of property having a fair market value at the time of donation
18 of not more than \$3,000. Any expense incurred by the department in connection with
19 the donation shall be paid from the transportation fund.

20 ***-0529/4.154* SECTION 1686.** 84.11 (4) of the statutes is amended to read:

21 84.11 (4) FINDING, DETERMINATION, AND ORDER. After such hearing the
22 department shall make such investigation as it considers necessary in order to make
23 a decision in the matter. If the department finds that the construction is necessary
24 it shall determine the location of the project and whether the project is eligible for
25 construction under this section. The department shall also determine the character

1 and kind of bridge most suitable for such location and estimate separately the cost
2 of the bridge portion and the entire project. The department shall make its finding,
3 determination, and order, in writing, and file a certified copy thereof with the clerk
4 of each county, city, village, and town in which any portion of the bridge project will
5 be located and also with the secretary of state and the ~~state treasurer~~ secretary of
6 administration. The determination of the location of the project made by the
7 department and set forth in its finding, determination, and order, shall be conclusive
8 as to such location and shall constitute full authority for laying out new streets or
9 highways or for any relocations of highways made necessary for the construction of
10 the project and for acquirement of any lands necessary for such streets or highways,
11 relocation or construction. The estimate of cost made by the department shall be
12 conclusive insofar as cost may determine eligibility of construction under this
13 section.

14 ***-0529/4.155* SECTION 1687.** 84.12 (4) of the statutes is amended to read:

15 84.12 (4) FINDING, DETERMINATION, AND ORDER. If the department finds that the
16 construction is necessary, and that provision has been made or will be made by the
17 adjoining state or its subdivisions to bear its or their portions of the cost of the project,
18 the department, in cooperation with the state highway department of the adjoining
19 state, shall determine the location thereof, the character and kind of bridge and other
20 construction most suitable at such location, estimate the cost of the project, and
21 determine the respective portions of the estimated cost to be paid by each state and
22 its subdivisions. In the case of projects eligible to construction under sub. (1) (a) the
23 department shall further determine the respective portions of the cost to be paid by
24 this state and by its subdivisions which are required to pay portions of the cost. The
25 department, after such hearing, investigation, and negotiations, shall make its

1 finding, determination, and order in writing and file a certified copy thereof with the
2 clerk of each county, city, village, or town in this state in which any part of the bridge
3 project will be located, with the secretary of state, and the ~~state treasurer~~ secretary
4 of administration and with the state highway department of the adjoining state. The
5 determination of the location set forth in the finding, determination, and order of the
6 department shall be conclusive as to such location and shall constitute full authority
7 for laying out new streets or highways or for any relocations of the highways made
8 necessary for the construction of the project and for acquiring lands necessary for
9 such streets or highways, relocation or construction.

10 *b0251/4.3* SECTION 1694f. 84.555 (1m) of the statutes is created to read:

11 84.555 (1m) Notwithstanding sub. (1) and ss. 84.51 and 84.59, the Marquette
12 interchange reconstruction project under s. 84.014 may be funded with the proceeds
13 of general obligation bonds issued under s. 20.866 (2) (uum) if all of the following
14 conditions are satisfied:

15 (a) Funds allocated under s. 20.395 (3) (cr) and (cy), other than funds
16 transferred under s. 84.014 (4) (b) or (c), for the Marquette interchange
17 reconstruction project for the fiscal year in which the bonds are issued are not
18 sufficient to meet expenditure obligations for the project in that fiscal year and the
19 bond issuance results in an amount of bond proceeds in that fiscal year that does not
20 exceed the difference between the expenditure obligations for the project in that
21 fiscal year and the amount of funds allocated under s. 20.395 (3) (cr) and (cy), other
22 than funds transferred under s. 84.014 (4) (b) or (c), for the project for that fiscal year.

23 (b) No payment of principal and interest on the bonds is required after June
24 30, 2009.

1 (c) The department has expended or encumbered all funds allocated under s.
2 20.395 (3) (cr) and (cy), other than funds transferred under s. 84.014 (4) (b) or (c), for
3 the Marquette interchange reconstruction project for the fiscal year in which the
4 bonds are issued, has maximized the use of any other state or federal funds available
5 for the project in that fiscal year, and has exhausted other viable options for funding
6 expenditure obligations for the project in that fiscal year by means other than the
7 issuance of bonds under s. 20.866 (2) (uum).

8 *b0241/3.7* SECTION 1694m. 84.557 of the statutes is created to read:

9 **84.557 General obligation bonding for major highway and**
10 **rehabilitation projects.** (1) Notwithstanding ss. 84.51, 84.53, 84.555, and 84.59,
11 major highway projects, as defined under s. 84.013 (1) (a), for the purposes of ss. 84.06
12 and 84.09, may be funded with the proceeds of general obligation bonds issued under
13 s. 20.866 (2) (uur).

14 (2) Notwithstanding ss. 84.51, 84.53, 84.555, and 84.59, state highway
15 rehabilitation projects for the purposes specified in s. 20.395 (3) (cq), may be funded
16 with the proceeds of general obligation bonds issued under s. 20.866 (2) (uut).

17 *-1772/3.3* SECTION 1696. 84.59 (2) of the statutes is renumbered 84.59 (2) (a).

18 *-1772/3.4* SECTION 1697. 84.59 (2) (b) of the statutes is created to read:

19 84.59 (2) (b) The department may, under s. 18.562, deposit in a separate and
20 distinct special fund outside the state treasury, in an account maintained by a
21 trustee, revenues derived under ss. 341.09 (2) (d), (2m) (a) 1., (4), and (7), 341.14 (2),
22 (2m), (6) (d), (6m) (a), (6r) (b) 2., (6w), and (8), 341.145 (3), 341.16 (1) (a) and (b), (2),
23 and (2m), 341.17 (8), 341.19 (1) (a), 341.25, 341.255 (1), (2) (a), (b), and (c), (4), and
24 (5), 341.26 (1), (2), (2m) (am) and (b), (3), (3m), (4), (5), and (7), 341.264 (1), 341.265
25 (1), 341.266 (2) (b) and (3), 341.268 (2) (b) and (3), 341.30 (3), 341.305 (3), 341.308 (3),

1 341.36 (1) and (1m), 341.51 (2), and 342.14, except s. 342.14 (1r). The revenues
2 deposited are the trustee's revenues in accordance with the agreement between this
3 state and the trustee or in accordance with the resolution pledging the revenues to
4 the repayment of revenue obligations issued under this section. Revenue obligations
5 issued for the purposes specified in sub. (1) and for the repayment of which revenues
6 are deposited under this paragraph are special fund obligations, as defined in s.
7 18.52 (7), issued for special fund programs, as defined in s. 18.52 (8).

8 ***-1772/3.5* SECTION 1698.** 84.59 (3) of the statutes is amended to read:

9 84.59 (3) The secretary may pledge revenues received or to be received in the
10 any fund established ~~in~~ under sub. (2) to secure revenue obligations issued under this
11 section. The pledge shall provide for the transfer to this state of all pledged revenues,
12 including any interest earned on the revenues, which are in excess of the amounts
13 required to be paid under s. 20.395 (6) (as). The pledge shall provide that the
14 transfers be made at least twice yearly, that the transferred amounts be deposited
15 in the transportation fund and that the transferred amounts are free of any prior
16 pledge.

17 ***-1191/4.6* SECTION 1699.** 84.59 (6) of the statutes is amended to read:

18 84.59 (6) The building commission may contract revenue obligations when it
19 reasonably appears to the building commission that all obligations incurred under
20 this section can be fully paid from moneys received or anticipated and pledged to be
21 received on a timely basis. Except as provided in this subsection, the principal
22 amount of revenue obligations issued under this section may not exceed
23 ~~\$1,753,067,500~~ \$2,095,583,900, excluding any obligations that have been defeased
24 under a cash optimization program administered by the building commission, to be
25 used for transportation facilities under s. 84.01 (28) and major highway projects for

1 the purposes under ss. 84.06 and 84.09. In addition to the foregoing limit on principal
2 amount, the building commission may contract revenue obligations under this
3 section as the building commission determines is desirable to refund outstanding
4 revenue obligations contracted under this section and to pay expenses associated
5 with revenue obligations contracted under this section.

6 *b0221/4.4* SECTION 1701m. 85.027 of the statutes is created to read:

7 **85.027 Traffic marking enhancement grants. (1) ADMINISTRATION.** Subject
8 to 2003 Wisconsin Act (this act), section 9153 (4q), the department shall
9 administer a program to provide grants to local units of government for the
10 installation of traffic marking enhancements with the intent of improving visibility
11 for elderly drivers and pedestrians. The enhancements may include pavement
12 markings for center lines, lane lines, edge lines, lane-use arrows, and cross walks
13 that are brighter or more reflective than the markings that are typically used, traffic
14 signs with enhanced reflectivity and with larger letters than are typically used,
15 redundant street name signs in advance of intersections, and overhead mounted
16 street name signs at major intersections.

17 **(2) GRANTS.** (a) A local unit of government that is awarded a grant under this
18 section shall contribute matching funds equal to at least 25% of the total estimated
19 cost of the project for which moneys are awarded under this section.

20 (b) The department shall award grants annually to at least one project in each
21 of the following:

- 22 1. An urban area.
- 23 2. A suburban area.
- 24 3. A rural area.

1 (c) The department shall consider the following in awarding a grant for a
2 proposed project:

3 1. The crash history of the proposed project area.

4 2. The prevalence of older drivers and pedestrians in the area of the proposed
5 project.

6 3. The extent to which the proposed improvements would produce
7 demonstrable benefits.

8 4. Whether a project is proposed cooperatively by more than one local unit of
9 government and coordinates improvements on highways in more than one
10 jurisdiction. The department shall favor cooperative projects.

11 5. The geographic distribution of all of the projects that are awarded grants.
12 The department shall distribute projects throughout the state.

13 (d) The department shall award grants under this section from the
14 appropriation under s. 20.395 (2) (fg).

15 ***-1189/3.4* SECTION 1702.** 85.062 (1) (c) of the statutes is created to read:

16 85.062 (1) (c) Initial construction or expansion of a commuter rail transit
17 system. In this paragraph, “commuter rail” has the meaning given in s. 85.064 (1)
18 (a).

19 ***-1189/3.5* SECTION 1703.** 85.064 of the statutes is created to read:

20 **85.064 Commuter rail transit system development.** (1) In this section:

21 (a) “Commuter rail” means rail passenger service, operating primarily on a
22 dedicated right-of-way on existing railroad tracks used for rail freight service or
23 intercity rail passenger service between and within metropolitan and suburban
24 areas, connecting these areas with large business or urban centers in this state or
25 another. Commuter rail usually operates during peak travel times with limited stops

1 and in conjunction with other transit modes as part of a regional transit system.
2 “Commuter rail” does not include rail passenger service provided by a light rail
3 transit system.

4 (b) “Political subdivision” means any city, village, town, county, transit
5 commission organized under s. 59.58 (2) or 66.1021 or recognized under s. 66.0301,
6 or regional transportation authority organized under s. 59.58 (6) within this state.

7 (2) (a) The department shall administer a commuter rail transit system
8 development grant program. From the appropriations under s. 20.395 (1) (dq), (dv),
9 and (dx), the department may award grants to political subdivisions for preliminary
10 engineering related to the development or extension of commuter rail transit
11 systems in this state.

12 (b) Upon completion of a planning study to the satisfaction of the department,
13 any political subdivision may apply to the department for a grant for the purpose
14 specified in par. (a). No grant may be awarded under this section for a project unless
15 the project meets the eligibility criteria established by the department under sub. (3).

16 (c) The amount of a grant awarded under this section shall be limited to an
17 amount equal to 50% of the portion of the project cost in excess of the federal aid
18 funding for the project or 25% of the total project cost, whichever is less.

19 (3) The department shall prescribe the form, nature, and extent of information
20 that shall be contained in applications for grants under this section and shall
21 establish criteria for evaluating applications and determining eligibility for the
22 award of grants under this section.

23 (4) No grant may be awarded under this section for any project related to the
24 planning, initial construction, or expansion of a light rail transit system.

25 ***-1712/5.29* SECTION 1704.** 85.09 (2) (a) of the statutes is amended to read:

1 85.09 (2) (a) The department of transportation shall have the first right to
2 acquire, for present or future transportational or recreational purposes, any
3 property used in operating a railroad or railway, including land and rails, ties,
4 switches, trestles, bridges, and the like located ~~thereon, which on that property, that~~
5 has been abandoned. The department of transportation may, in connection with
6 abandoned rail property, assign this right to a state agency, the board of regents of
7 the University of Wisconsin System, any county or municipality, or any transit
8 commission. Acquisition by the department of transportation may be by gift,
9 purchase, or condemnation in accordance with the procedure under s. 32.05. In
10 addition to its property management authority under s. 85.15, the department of
11 transportation may lease and collect rents and fees for any use of rail property
12 pending discharge of the department's duty to convey property that is not necessary
13 for a public purpose. ~~In exercising its property management authority, the~~
14 ~~department of transportation, to the greatest extent practicable, shall encourage and~~
15 ~~utilize the Wisconsin conservation corps for appropriate projects.~~ No person owning
16 abandoned rail property, including any person to whom ownership reverts upon
17 abandonment, may convey or dispose of any abandoned rail property without first
18 obtaining a written release from the department of transportation indicating that
19 the first right of acquisition under this subsection will not be exercised or assigned.
20 No railroad or railway may convey any rail property prior to abandonment if the rail
21 property is part of a rail line shown on the railroad's system map as in the process
22 of abandonment, expected to be abandoned, or under study for possible
23 abandonment unless the conveyance or disposal is for the purpose of providing
24 continued rail service under another company or agency. Any conveyance made
25 without obtaining such release is void. The first right of acquisition of the

1 department of transportation under this subsection does not apply to any rail
2 property declared by the department to be abandoned before January 1, 1977. The
3 department of transportation may acquire any abandoned rail property under this
4 section regardless of the date of its abandonment.

5 ***-1634/7.50* SECTION 1705.** 85.09 (4i) of the statutes is amended to read:

6 85.09 (4i) DISPOSAL OF RAIL PROPERTY. The department shall sell at public or
7 private sale rail property acquired under sub. (4) when the department determines
8 that the rail property is not necessary for a public purpose and, if real property, the
9 real property is not the subject of a petition under s. ~~16.375~~ 560.9810 (2). Upon
10 receipt of the full purchase price, the department shall, by appropriate deed or other
11 instrument, transfer the rail property to the purchaser. The funds derived from sales
12 under this subsection shall be deposited in the transportation fund, and the expense
13 incurred by the department in connection with the sale shall be paid from the
14 appropriation under s. 20.395 (2) (bq).

15 ***-1289/7.107* SECTION 1706.** 85.12 (3) of the statutes is amended to read:

16 85.12 (3) The department may contract with any local governmental unit, as
17 defined in s. ~~22.01~~ 16.97 (7), to provide that local governmental unit with services
18 under this section.

19 ***-0529/4.156* SECTION 1707.** 85.14 (1) (b) of the statutes is amended to read:

20 85.14 (1) (b) Except for charges associated with a contract under par. (c), the
21 department shall pay to the ~~state treasurer~~ secretary of administration the amount
22 of charges associated with the use of credit cards under par. (a) that are assessed to
23 the department.

24 ***-0529/4.157* SECTION 1708.** 85.14 (2) of the statutes is amended to read:

1 85.14 (2) The department shall certify to the ~~state treasurer~~ secretary of
2 administration the amount of charges associated with the use of credit cards that is
3 assessed to the department on deposits accepted under s. 345.26 (3) (a) by state
4 traffic patrol officers and state motor vehicle inspectors, and the ~~state treasurer~~
5 secretary of administration shall pay the charges from moneys under s. 59.25 (3) (j)
6 and (k) that are reserved for payment of the charges under s. ~~14.58 (21)~~ 20.907 (5)
7 (e) 12e.

8 *~~1198/2.1~~* **SECTION 1709.** 85.20 (4m) (a) 6. cm. of the statutes is amended to
9 read:

10 85.20 (4m) (a) 6. cm. ~~For aid payable for calendar years 2000 and 2001, from~~
11 ~~the appropriation under s. 20.395 (1) (ht), the department shall pay \$53,555,600 to~~
12 ~~the eligible applicant that pays the local contribution required under par. (b) 1. for~~
13 ~~an urban mass transit system that has annual operating expenses in excess of~~
14 ~~\$80,000,000. For aid payable for calendar year 2002, from the appropriation under~~
15 ~~s. 20.395 (1) (ht), the department shall pay \$55,697,800 to the eligible applicant that~~
16 ~~pays the local contribution required under par. (b) 1. for an urban mass transit~~
17 ~~system that has annual operating expenses in excess of \$80,000,000. Beginning with~~
18 For aid payable for calendar year 2003 and for each calendar year thereafter, from
19 the appropriation under s. 20.395 (1) (ht), the department shall pay \$56,811,800 to
20 the eligible applicant that pays the local contribution required under par. (b) 1. for
21 an urban mass transit system that has annual operating expenses in excess of
22 \$80,000,000. If the eligible applicant that receives aid under this subd. 6. cm. is
23 served by more than one urban mass transit system, the eligible applicant may
24 allocate the aid between the urban mass transit systems in any manner the eligible
25 applicant considers desirable.

1 *~~1198/2.2~~* SECTION 1710. 85.20 (4m) (a) 6. d. of the statutes is amended to
2 read:

3 85.20 (4m) (a) 6. d. ~~For aid payable for calendar years 2000 and 2001, from the~~
4 ~~appropriation under s. 20.395 (1) (hu), the department shall pay \$14,297,600 to the~~
5 ~~eligible applicant that pays the local contribution required under par. (b) 1. for an~~
6 ~~urban mass transit system that has annual operating expenses in excess of~~
7 ~~\$20,000,000 but less than \$80,000,000. For aid payable for calendar year 2002, from~~
8 ~~the appropriation under s. 20.395 (1) (hu), the department shall pay \$14,869,500 to~~
9 ~~the eligible applicant that pays the local contribution required under par. (b) 1. for~~
10 ~~an urban mass transit system that has annual operating expenses in excess of~~
11 ~~\$20,000,000 but less than \$80,000,000. Beginning with~~ For aid payable for calendar
12 year 2003 and for each calendar year thereafter, from the appropriation under s.
13 20.395 (1) (hu), the department shall pay \$15,166,900 to the eligible applicant that
14 pays the local contribution required under par. (b) 1. for an urban mass transit
15 system that has annual operating expenses in excess of \$20,000,000 but less than
16 \$80,000,000. If the eligible applicant that receives aid under this subd. 6. d. is served
17 by more than one urban mass transit system, the eligible applicant may allocate the
18 aid between the urban mass transit systems in any manner the eligible applicant
19 considers desirable.

20 *~~1198/2.3~~* SECTION 1711. 85.20 (4m) (a) 7. a. of the statutes is amended to
21 read:

22 85.20 (4m) (a) 7. a. ~~From the appropriation under s. 20.395 (1) (hr), for aid~~
23 ~~payable for calendar year 2001, the uniform percentage for each eligible applicant~~
24 ~~served by an urban mass transit system operating within an urbanized area having~~
25 ~~a population as shown in the 1990 federal decennial census of at least 50,000 or~~

1 receiving federal mass transit aid for such area, and not specified in subd. 6. From
2 the appropriation under s. 20.395 (1) (hr), beginning with aid payable for calendar
3 year 2002 and for each calendar year thereafter, the uniform percentage for each
4 eligible applicant served by an urban mass transit system operating within an
5 urbanized area having a population as shown in the 2000 federal decennial census
6 of at least 50,000 or receiving federal mass transit aid for such area, and not specified
7 in subd. 6.

8 ***-1198/2.4* SECTION 1712.** 85.20 (4m) (a) 7. b. of the statutes is amended to
9 read:

10 85.20 (4m) (a) 7. b. For the purpose of making allocations under subd. 7. a., the
11 amounts for aids are ~~\$19,804,200 in calendar years 2000 and 2001, \$20,596,400 in~~
12 ~~calendar year 2002, and \$21,008,300~~ \$21,008,300 in calendar year 2003, and
13 \$21,757,600 in calendar year 2004 and in each calendar year thereafter. These
14 amounts, to the extent practicable, shall be used to determine the uniform
15 percentage in the particular calendar year.

16 ***-1198/2.5* SECTION 1713.** 85.20 (4m) (a) 8. a. of the statutes is amended to
17 read:

18 85.20 (4m) (a) 8. a. ~~From the appropriation under s. 20.395 (1) (hs), for aid~~
19 ~~payable for calendar year 2001, the uniform percentage for each eligible applicant~~
20 ~~served by an urban mass transit system operating within an area having a~~
21 ~~population as shown in the 1990 federal decennial census of less than 50,000 or~~
22 ~~receiving federal mass transit aid for such area.~~ From the appropriation under s.
23 20.395 (1) (hs), beginning with aid payable for calendar year 2002 and for each
24 calendar year thereafter, the uniform percentage for each eligible applicant served
25 by an urban mass transit system operating within an area having a population as

1 shown in the 2000 federal decennial census of less than 50,000 or receiving federal
2 mass transit aid for such area.

3 ***-1198/2.6* SECTION 1714.** 85.20 (4m) (a) 8. b. of the statutes is amended to
4 read:

5 85.20 (4m) (a) 8. b. For the purpose of making allocations under subd. 8. a., the
6 amounts for aids are ~~\$5,349,100 in calendar years 2000 and 2001~~, \$5,563,100 in
7 calendar year 2002, and ~~\$5,674,400~~ \$5,674,400 in calendar year 2003, and
8 \$4,925,100 in calendar year 2004 and in each calendar year thereafter. These
9 amounts, to the extent practicable, shall be used to determine the uniform
10 percentage in the particular calendar year.

11 ***-1607/P3.9* SECTION 1715.** 85.55 of the statutes is amended to read:

12 **85.55 Safe-ride grant program.** The department may award grants to any
13 county or municipality or to any nonprofit corporation, as defined in s. ~~46.93 (1m) (e)~~
14 66.0129 (6) (b), to cover the costs of transporting persons suspected of having a
15 prohibited alcohol concentration, as defined in s. 340.01 (46m), from any premises
16 licensed under ch. 125 to sell alcohol beverages to their places of residence. The
17 amount of a grant under this section may not exceed 50% of the costs necessary to
18 provide the service. The liability of a provider of a safe-ride program to persons
19 transported under the program is limited to the amounts required for an automobile
20 liability policy under s. 344.15 (1). Grants awarded under this section shall be paid
21 from the appropriation under s. 20.395 (5) (ek).

22 ***-1196/1.1* SECTION 1719.** 86.30 (2) (a) 1. of the statutes is amended to read:

23 86.30 (2) (a) 1. Except as provided in pars. (b), (d) and (dm), ~~sub. (10)~~ and s.
24 86.303, the amount of transportation aids payable by the department to each county
25 shall be the aids amount calculated under subd. 2. and to each municipality shall be

1 the aids amount calculated under subd. 2. or 3., whichever is greater. If the amounts
2 calculated for a municipality under subd. 2. or 3. are the same, transportation aids
3 to that municipality shall be paid under subd. 2.

4 ***-1196/1.2* SECTION 1720.** 86.30 (2) (a) 3. of the statutes is amended to read:

5 86.30 (2) (a) 3. For each mile of road or street under the jurisdiction of a
6 municipality as determined under s. 86.302, the mileage aid payment shall be ~~\$1,704~~
7 ~~in calendar year 2001,~~ \$1,755 in calendar year 2002, and \$1,825 in calendar year
8 2003 and thereafter.

9 ***-1196/1.3* SECTION 1721.** 86.30 (9) (b) of the statutes is amended to read:

10 86.30 (9) (b) For the purpose of calculating and distributing aids under sub. (2),
11 the amounts for aids to counties are ~~\$84,059,500 in calendar years 2000 and 2001,~~
12 \$86,581,300 in calendar year 2002, and \$90,044,600 in calendar year 2003 and
13 thereafter. These amounts, to the extent practicable, shall be used to determine the
14 statewide county average cost-sharing percentage in the particular calendar year.

15 ***-1196/1.4* SECTION 1722.** 86.30 (9) (c) of the statutes is amended to read:

16 86.30 (9) (c) For the purpose of calculating and distributing aids under sub. (2),
17 the amounts for aids to municipalities are ~~\$264,461,500 in calendar years 2000 and~~
18 ~~2001,~~ \$272,395,300 in calendar year 2002, and \$283,291,100 in calendar year 2003
19 and thereafter. These amounts, to the extent practicable, shall be used to determine
20 the statewide municipal average cost-sharing percentage in the particular calendar
21 year.

22 ***-1196/1.5* SECTION 1723.** 86.30 (10) of the statutes is repealed.

23 ***b0222/1.1* SECTION 1723m.** 86.31 (2) (e) of the statutes is amended to read:

24 86.31 (2) (e) The department of transportation may not require as a condition
25 of reimbursement that the design and construction of any improvement with eligible

1 costs totaling ~~\$50,000~~ \$65,000 or less be certified by a registered professional
2 engineer.

3 ***-1250/1.3* SECTION 1724.** 86.31 (3s) of the statutes is amended to read:

4 86.31 (3s) WEST CANAL STREET RECONSTRUCTION AND EXTENSION.

5 Notwithstanding limitations on the amount and use of aids provided under this
6 section, or on eligibility requirements for receiving aids under this section, and
7 subject to s. 84.03 (3) (b), the department shall award a grant of \$2,500,000 to the city
8 of Milwaukee for the ~~purpose~~ purposes specified under s. 84.03 (3) (a).
9 Notwithstanding subs. (3) (b), (3g), (3m), and (3r), payment of the grant under this
10 subsection shall be made from the appropriation under s. 20.395 (2) (fr) before
11 making any other allocation of funds under subs. (3) (b), (3g), (3m), and (3r), and the
12 allocation of funds under subs. (3) (b), (3g), (3m), and (3r) shall be reduced
13 proportionately to reflect the amount of the grant made under this subsection. This
14 subsection does not apply after December 31, 2005.

15 ***-0529/4.158* SECTION 1725.** 87.07 (4) of the statutes is amended to read:

16 87.07 (4) BENEFITS AND COSTS DECISIVE. If the aggregate of the amounts
17 collectible, as thus found by the department, exceeds the estimated cost of
18 construction of the improvement, the department shall order that the work of
19 constructing such improvement proceed. If such aggregate amount collectible is less
20 than the estimated cost of such improvement, the department shall enter an order
21 dismissing the petition, unless the difference between said aggregate amounts be
22 deposited in cash with the ~~state treasurer~~ secretary of administration within one
23 year. Such deposit may be made by any person or any public or private corporation.
24 Upon the making of such deposit, the department shall enter a further order that the
25 work of constructing the improvement proceed.

1 ***-0529/4.159*** SECTION 1726. 87.11 (2) of the statutes is amended to read:

2 87.11 (2) But should the total cost, as ascertained and certified by the flood
3 control board after the letting of the contracts, in the manner hereinabove set forth,
4 exceed the total amount found by the department to be collectible under s. 87.09, all
5 contracts for the construction of the work shall be null and void. At the expiration
6 of one year after such certification, any moneys held by the ~~state treasurer~~ secretary
7 of administration on account of the project shall be refunded to the persons by whom
8 they were paid to such ~~treasurer~~ the secretary of administration; and funds in the
9 hands of the flood control board shall be refunded to the public corporation by which
10 they were paid to such board; any funds held by any town, village, or city, having been
11 collected by special assessments against property benefited, shall be refunded to the
12 owners of such property; any funds raised by any public corporation by the issuance
13 of bonds on account of such proposed improvements shall constitute a fund for the
14 retirement or payment of such bonds; and any fund held by any public corporation,
15 having been raised otherwise than by special assessments or bond issues, shall be
16 available for the general purposes of such public corporation. Provided, however,
17 that if within one year after the last mentioned certification of the flood control board
18 there shall be deposited with the treasurer of said board a sum equal to the difference
19 between the aggregate cost of constructing the improvement as estimated by the
20 department and the aggregate cost thereof as determined and certified by the flood
21 control board after the letting of the contracts, said board shall proceed to relet the
22 contracts for the construction of the improvement and to complete the same unless
23 the aggregate of such new contract prices, together with the department's estimate
24 of the cost of acquiring lands and of overhead expenses and of the first 18 months'
25 operation and maintenance, shall again exceed the amount found by the department

1 to be collectible under s. 87.09. The deposit herein referred to may be made by any
2 person or any public or private corporation.

3 ***-0529/4.160* SECTION 1727.** 87.13 of the statutes is amended to read:

4 **87.13 Disbursements by board.** All sums which shall be deposited with the
5 ~~state treasurer~~ secretary of administration under s. 87.07 (4) for the construction of
6 the improvement shall be paid by ~~said treasurer~~ the secretary of administration to
7 the flood control board upon requisitions from said board. If any moneys, other than
8 those for operation and maintenance during the first 18 months, remain unexpended
9 in the hands of the flood control board or subject to their requisition after the
10 completion of the construction of the improvement, and if the funds for construction
11 of the improvement shall have been in part raised through voluntary contributions
12 under s. 87.07 (4) or 87.11 (2), the amounts thus contributed, or such proportion
13 thereof as the funds remaining in the hands of the board or subject to its requisition
14 will pay, shall be returned to the persons or corporations who made such voluntary
15 contributions, in proportion to the amounts contributed by them.

16 ***-1712/5.30* SECTION 1731.** 91.19 (6s) (a) (intro.) of the statutes is amended
17 to read:

18 91.19 (6s) (a) (intro.) The department may release from a farmland
19 preservation agreement any land acquired or to be acquired by ~~a local unit of~~
20 ~~government~~ a school board or the governing body of a municipality, as defined in s.
21 ~~106.215 (1) (e)~~ 281.59 (1) (c), for public improvements or structures, including
22 highway improvements, if all of the following occur:

23 ***b0345/3.2* SECTION 1731ec.** 91.19 (7) of the statutes is amended to read:

24 91.19 (7) ~~Whenever~~ Subject to sub. (14), whenever a farmland preservation
25 agreement is relinquished under sub. (2) or (6t) or all or part of the land is released

1 from a farmland preservation agreement under sub. (2) or (6p) or a transition area
2 agreement is relinquished under sub. (2) or, subject to subs. (12) and (13), a transition
3 area agreement is relinquished under sub. (1) or (1m), the department shall cause
4 to be prepared and recorded a lien against the property formerly subject to the
5 agreement for the total amount of all credits received by all owners of such lands
6 under subch. IX of ch. 71 during the last 10 years that the land was eligible for such
7 credit, plus interest at the rate of 9.3% per year compounded annually on the credits
8 received from the time the credits were received until the lien is paid for farmland
9 preservation agreements relinquished under sub. (6t) and 6% per year compounded
10 annually on the credits received from the time the credits were received until the lien
11 is paid for other agreements. No interest shall be compounded for any period during
12 which the farmland is subject to a subsequent farmland preservation agreement or
13 transition area agreement or is zoned for exclusive agricultural use under an
14 ordinance certified under subch. V.

15 ***b0345/3.2* SECTION 1731eg.** 91.19 (8) of the statutes is amended to read:

16 91.19 (8) Subject to subs. (12) ~~and~~, (13), and (14), upon the relinquishment of
17 a farmland preservation agreement under sub. (1) or (1m), the department shall
18 cause to be prepared and recorded a lien against the property formerly subject to the
19 farmland preservation agreement for the total amount of the credits received by all
20 owners thereof under subch. IX of ch. 71 during the last 10 years that the land was
21 eligible for such credit, plus 6% interest per year compounded from the time of
22 relinquishment. No interest shall be compounded for any period during which the
23 farmland is subject to a subsequent farmland preservation agreement or transition
24 area agreement or is zoned for exclusive agricultural use under an ordinance
25 certified under subch. V.

1 ***b0345/3.2* SECTION 1731ek.** 91.19 (14) of the statutes is created to read:

2 91.19 (14) No lien under this section may be recorded after the effective date
3 of this subsection [revisor inserts date].

4 ***b0345/3.2* SECTION 1731em.** 91.25 of the statutes is created to read:

5 **91.25 Phaseout of agreements.** The department may not enter into, or
6 extend, an agreement under this subchapter after the effective date of this section
7 [revisor inserts date].

8 ***b0345/3.2* SECTION 1731g.** 91.37 (1) to (5) of the statutes are amended to
9 read:

10 91.37 (1) If Subject to sub. (7), if the owner withdraws during the term of an
11 agreement under this subchapter, the lien shall apply to the amount of all credit
12 under subch. IX of ch. 71 received for the period the land was subject to the
13 agreement plus 6% interest per year compounded annually from the time the credit
14 was received until it is paid.

15 (2) If Subject to sub. (7), if at the end of an agreement under this subchapter,
16 the owner does not apply for a renewal under s. 91.39 or an agreement under subch.
17 II, the lien shall apply, without interest, to the credit received under subch. IX of ch.
18 71 for the last 2 years the land was eligible for such credit if the land is not subject
19 to a certified exclusive agricultural use zoning ordinance under subch. V and either
20 the county in which the land is located has not adopted a certified agricultural
21 preservation plan, or, if such a plan is adopted, the farmland would not be eligible
22 for an agreement under the terms of the plan.

23 (3) If Subject to sub. (7), if at the end of an agreement under this subchapter,
24 the owner does not apply for a renewal under s. 91.39 or an agreement under subch.
25 II, although the land is eligible for an agreement under subch. II and is not subject

1 to a certified exclusive agricultural use zoning ordinance under subch. V, the lien
2 shall apply to all credit received during the period the land was subject to an
3 agreement under this subchapter, plus 6% interest per year compounded from the
4 time of expiration.

5 (4) If Subject to sub. (7), if at the end of an agreement under this subchapter,
6 the farmland is not eligible for an agreement under subch. II because s. 91.11 (2), (3)
7 or (4) is applicable, the lien shall apply, without interest, to the credit received under
8 subch. IX of ch. 71 for the last 2 years the land was eligible for such credit. If after
9 the expiration of an agreement the land or any portion of the land is zoned for
10 exclusive agricultural use under an ordinance certified under subch. V, all or any
11 portion of a lien filed under this subsection against such land shall be discharged.
12 The discharge of a lien under this subsection does not affect the calculation of any
13 subsequent lien under s. 91.77 (2).

14 (5) If Subject to sub. (7), if at the end of an agreement under this subchapter,
15 the owner does not apply for a renewal under s. 91.39 or an agreement under subch.
16 II and only a portion of the land subject to the agreement is eligible for an agreement
17 under subch. II, the lien shall be calculated under sub. (2) or (4) on that part of the
18 land which is ineligible and under sub. (3) on that part which is eligible.

19 ***b0345/3.2* SECTION 1731gm.** 91.37 (7) of the statutes is created to read:

20 91.37 (7) No lien under this section may be recorded after the effective date of
21 this subsection [revisor inserts date].

22 ***b0345/3.2* SECTION 1731j.** 91.71 of the statutes is amended to read:

23 **91.71 Purpose.** The purpose of this subchapter is to specify the minimum
24 requirements for zoning ordinances designating certain lands for exclusively

1 agricultural use, ~~allowing the owners of such lands to claim the farmland~~
2 ~~preservation credit permitted under subch. IX of ch. 71.~~

3 ***b0345/3.2* SECTION 1731L.** 91.77 (2) of the statutes is amended to read:

4 91.77 (2) Land which is rezoned under this section shall be subject to the lien
5 provided under s. 91.19 (8) to (10) for the amount of tax credits paid on the land
6 rezoned, except that no lien under this subsection may be recorded after the effective
7 date of this subsection ... [revisor inserts date]. If the rezoning occurs solely as a
8 result of action initiated by a governmental unit, any lien required under s. 91.19 (8)
9 to (10) shall be paid by the governmental unit initiating the action.

10 ***b0345/3.2* SECTION 1731n.** 91.79 of the statutes is amended to read:

11 **91.79 Conditional uses; lien.** Any land zoned under this subchapter which
12 is granted a special exception or conditional use permit for a use which is not an
13 agricultural use shall be subject to the lien provided under s. 91.19 (8) to (10) for the
14 amount of tax credits paid on the land granted such a permit, except that no lien
15 under this section may be recorded after the effective date of this section ... [revisor
16 inserts date].

17 ***b0131/1.1* SECTION 1739g.** 93.23 (1) (a) 1. (intro.) of the statutes is amended
18 to read:

19 93.23 (1) (a) 1. (intro.) To each county, and any organized agricultural society,
20 association, or board in the state that complies with the requirements of this section,
21 ~~95% of the first \$8,000 actually paid in net premiums and 70% of all net premiums~~
22 ~~paid in excess of \$8,000~~ 50% of the amount actually paid in net premiums in the
23 junior division at its annual fair upon livestock, articles of production, educational
24 exhibits, agricultural implements and tools, domestic manufactures, mechanical